IN THE DRAWINGS

In response to the objection to the drawings, a corrected sheet is submitted with a Letter to the Draftsperson that accompanies this filing. In the corrected sheet, Figures 1 and 10 are now properly numbered, and the drawings are now acceptable.

REMARKS

By this amendment, claims 1, 4, and 5 has been revised and claim 3 has been canceled to place this application in condition for allowance. Currently, claims 1, 2 and 4-10 are before the Examiner for consideration on their merits.

As discussed above, the issue with the drawings has been resolved, and this objection should be withdrawn.

In response to the final rejection of claims 1-10, the limitations of claim 3 have been incorporated into claim 1. In review, claim 3 further defines the isolator assembly as one support coupled to the cabin yoke, with the support comprising one transversal basic combination of a couple of dynamic absorbers sandwiching a central fluid mount linked to the engine structure. The fluid mount has transversal shafts to mount the dynamic absorber. Claims 4 and 5 have been revised so that they are consistent with the changes made to claim 1.

In the rejection, claims 1 and 3 stand rejected based on the combination of Bennett and Yamada. For claim 1, the Examiner admitted that Bennett, while teaching the use of vibration dampers on a yoke, did not teach a fluid mount isolator. In response to this deficiency, the Examiner cites Yamada for the teaching that it is known to use a fluid mount isolator for vibration damping, and therefore it would be obvious to use the fluid mount isolator of Yamada in the arrangement of Bennett.

For claim 3, it was the Examiner's position that the fluid mount isolator would be located between the dynamic absorbers since that is where the engine connection is in Bennett, and that the mount would include the transversal shafts 45 of Bennett.

Applicants still contend that the Examiner's rejection based on 35 U.S.C. § 103(a) is unsubstantiated on the grounds that there is no motivation to make the alleged modification of Bennett without using the Applicants' teaching as a template to formulate the rejection. While it is believed that this constitutes sole grounds for withdrawing the rejection, claim 1 is further defined by including the limitations of claim 3 to emphasize the inventive aspect of the invention. In this regard, it is respectfully submitted that the Examiner's reasoning for the rejection as applied to claim 3 is equally flawed.

Turning first to Bennett, it is admitted that this patent teaches that the vibration dampers 42 are mounted on shafts 40. What else is important is the fact that the mounting of the yoke of Bennett to the engine is achieved using the apertures 36, see col. 3, lines 1-6.

Turning now to Yamada, the mounting of the fluid mount isolator of Yamada is positioned between a first linking member 91 on the vibrating body side of a car, and a second linking member 95 mounted to a member of the car body. In other words, the isolator is positioned between the vibrating body and the body that should not vibrate.

Even if one were to assume that it would be obvious to use Yamada in the Bennett device, the question remains as to where or how one of skill in the art would employ the isolator of Yamada in the arrangement of Bennett. In the rejection, the Examiner assumes that one of skill in the art would be motivated to mount the isolator of Yamada so as to meet the limitations of claim 3. The problem with this approach is that the claim 3 defines a more specific arrangement than that alluded to in the rejection. While the Examiner contends that it would be obvious to mount the isolator

"between" the dynamic absorbers of Bennett, claim 1, as amended, requires more than a mere in "between" mounting. Instead, claim 1 states that the dynamic absorbers sandwich the central fluid mount and that the fluid mount has transversal shafts to mount the dynamic absorbers. Neither of these features is addressed in the rejection, and the rejection fails for this reason as well. Put another way, the Examiner has failed to account for all of the limitations found in claim 3, and this failure taints the rejection under 35 U.S.C. § 103(a).

Moreover, it is undeniable that Bennett teaches that the yoke attaches to the engine at apertures 36, and that the Yamada teaches that the isolator is mounted between the vibrating car part and the car body. At best, one of skill in the art would be taught to use the fluid isolator at the apertures 36 of Bennett which contacts the engine.

There is absolutely no suggestion to arrange the isolator of Yamada so that it sandwiches the dynamic absorbers of Bennett and have the Yamada isolator include transversal shafts to mount the absorbers, as is required by claim 1. Consequently, even if Yamada and Bennett were combined, the combination thereof still fails to teach the elements of claim 1, as amended.

The real issue facing the Examiner with the revision to claim 1 is whether it would be not only obvious to combine the isolator or Yamada with the absorbers of Bennett, but also position the isolator between the absorbers of Bennett, and have the shafts 40 of Bennett attach to the isolator and support the absorbers 42. Again, there is no objective basis to conclude that such a modification is obvious. For the Examiner to allege that Yamada and Bennett establish a *prima facie* case of obviousness against

claim 1 is the blatant reliance on hindsight and such an allegation forms a totally improper basis to reject claim 1, as amended.

To summarize, it is respectfully submitted that the combination of Yamada and Bennett is improper as lacking motivation, and the rejection fails for this reason alone. In addition, and assuming, *arguendo*, that the two patents were properly combined, they still fail to teach each and every limitation of claim 1, as amended. Finally, there is no other basis to conclude that a further modification of the Bennett-Yamada arrangement is obvious.

Although this Amendment is presented after final rejection, it is proper for entry since it only incorporates claim 3 into claim 1. Since the issue of patentability of claim 3 has already been addressed by the Examiner, incorporating claim 3 into claim 1 does not raise any new issues requiring further search or consideration, and at the least, this Amendment must be entered for purposes of appeal.

Based on the arguments above, it is contended that claim 1 is now patentably distinct from the applied prior art, and the rejection of record must be withdrawn.

Accordingly, the Examiner is requested to examine this application in light of this Amendment, and pass claims 1, 2 and 4-10 onto issuance.

If the Examiner believes that an interview with Applicants' attorney would be helpful in prosecution of this application, the Examiner is invited to telephone the undersigned at 202-835-1753.

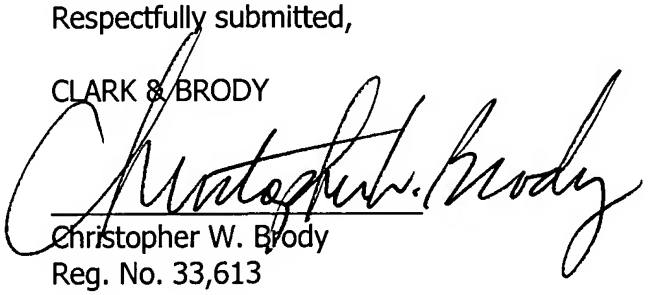
The above constitutes a complete response to all issues raised in the Office Action dated May 17, 2005.

Again, reconsideration and allowance of this application is respectfully requested.

Please charge any fee deficiencies to deposit account no 50-1088, and credit any excess fees to the same account.

Respectfully submitted,

CLARK & BRODY



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Docket No.: 11016-0010
Date: August 5, 2005